

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS DANIEL LERMA-JARAS and  
LIONEL GONZALEZ-TORRES,

Defendants.

CASE NO. CR20-0146-JCC

ORDER

This matter comes before the Court on Defendant Jesus Daniel Lerma-Jaras's Motion to Continue Trial and Pretrial Motion Deadlines. (Dkt. No. 74.) Defendant represents that the Government does not oppose the requested continuance. (*Id.* at 2.) Defendant Lionel Gonzalez Torres did not respond to the motion. Having considered Defendant's motion and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the motion for the reasons explained below.

Trial in this case is currently set for November 8, 2021, with pretrial motions due October 4, 2021. (Dkt. No. 67.) Defendant's counsel seeks a continuance as a result of his busy trial schedule, which includes a murder trial that would overlap with a key pretrial period and therefore deny defense counsel the time needed to review discovery, investigate, prepare pretrial motions, and prepare for trial in this case. (*See* Dkt. No. 74 at 2.)

1 This case is related to two others, *United States v. Rodriguez-Moreno*, CR20-0136-JCC  
2 and *United States v. Villasenor*, CR20-0137-JCC, which collectively involve more than 20  
3 defendants and, allegedly, multiple conspiracies to distribute controlled substances. *See*  
4 *Rodriguez-Moreno*, CR20-0136-JCC, Dkt. No. 107 at 2 (W.D. Wash. 2020). The Government's  
5 investigation involved hundreds of hours of surveillance, wiretaps of multiple cell phones, more  
6 than a dozen controlled buys, at least ten multi-kilo seizures of controlled substances, and  
7 searches of several vehicles, residences, and businesses. (*Id.*) The Government has already  
8 produced over 10,000 pages of discovery, much of which is in Spanish, which requires defense  
9 counsel to work with interpreters. (*Id.* at 3.)

10 Trial in these two cases has already been continued to May 31, 2022, and December 6,  
11 2021, respectively. *Rodriguez-Moreno*, CR20-0136-JCC, Dkt. No. 149 (W.D. Wash. 2021);  
12 *Villasenor*, CR20-0137-JCC, Dkt. Nos. 211, 215 (W.D. Wash. 2021).

13 Having thoroughly considered the briefing and the relevant record, the Court FINDS that  
14 the ends of justice served by granting a continuance outweigh the best interests of Defendants  
15 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). The reasons for this finding are:

16 1. In light of the number of defendants involved, the Government's allegation of  
17 multiple conspiracies, the volume of evidence, and the need for translation, this case is so  
18 complex that it is unreasonable to expect adequate preparation for pretrial motions and trial  
19 within the current deadlines. *See* 18 U.S.C. § 3161(h)(7)(B)(ii).

20 2. Failure to grant a continuance would deny counsel for Mr. Lerma-Jaras the  
21 reasonable time necessary for effective preparation, taking into account the exercise of due  
22 diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

23 The Court also holds that the duration of this continuance should be excluded from Mr.  
24 Gonzalez-Torres's Speedy Trial calculation because it is "a reasonable period of delay" within  
25 the meaning of 18 U.S.C. § 3161(h)(6). *See also United States v. Messer*, 197 F.3d 330, 336–37  
26 (9th Cir. 1999).

1 Accordingly, the Court ORDERS:

- 2 1. Defendant's motion (Dkt. No. 74) is GRANTED.
- 3 2. The November 8, 2021 jury trial is CONTINUED to May 31, 2022.
- 4 3. The pretrial motions deadline is CONTINUED until April 7, 2022.
- 5 4. The period from the date of this order until May 31, 2022 is an excludable period
- 6 under 18 U.S.C. § 3161(h)(7)(A) and, with respect to Mr. Gonzalez-Torres, under 18 U.S.C.
- 7 § 3161(h)(6).
- 8

9 DATED this 28th day of September 2021.

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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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